

35750
SEC

SERVICE DATE – LATE RELEASE APRIL 6, 2005

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 42084

CF INDUSTRIES INC. v. KANEB PIPE LINE PARTNERS, L.P.
AND KANEB PIPE LINE OPERATING PARTNERSHIP, L.P.

STB Docket No. 42081

DYNO NOBEL INC.
v.
KANEB PIPE LINE PARTNERS, L.P.

Decided: April 6, 2005

The Surface Transportation Board will hold an oral argument in these proceedings on Wednesday, May 11, 2005, at 10:00 a.m., in Room 760, the Board's Hearing Room, on the 7th floor at the Board's headquarters in the Mercury Building, 1925 K Street, N.W., Washington, DC. Participation is limited to the parties' representatives, as set out below.

Kaneb Pipe Line Partners, L.P. and Kaneb Pipe Line Operating Partnership, L.P. (collectively, the defendant in each proceeding), Dyno Nobel Inc., and CF Industries, Inc. will each have 20 minutes of argument time. Each of the three parties must provide the full name and title of its speaker to the Board, together with a written summary (not to exceed 3 pages) of the evidence and argument it wishes to present at the oral argument, as soon as possible, but no later than May 4, 2005. Also, the parties will be permitted to supplement their oral evidence and argument and their 3-page written summaries with post-hearing briefs.

The argument will address the issues presented in the two proceedings, such as whether the Board should lift the existing rate prescription and whether Hope Natural Gas Co., 320 U.S. 591 (1944), is applicable to that question, how the Board should view the use of contracts in the context of rate regulation in the pipeline industry, and in particular, how the ability of a carrier to contract with a shipper may affect the rates that the carrier will charge its other shippers.

If a party wishes to enhance its presentation by using projector-adaptable visual displays and/or handouts, it may do so. Staff will be available to demonstrate the

Hearing Room's projection system on May 10, 2005, from 2:00 p.m. to 4:00 p.m. Please call (202) 565-1664 to make arrangements.

Instructions for Attendance at Hearing

The Board requests that all persons attending the hearing use the Mercury Building's main entrance at 1925 K Street (on the northeast corner of the intersection of 20th and K Streets). There will be no reserved seating. Please plan to arrive early enough to be seated no later than 15 minutes before the start of the hearing. For security reasons, all persons should be prepared to produce photo identification (such as a driver's license), pass through a metal detector, and submit to an inspection of all briefcases, handbags, and all other bags. Visitors must be cleared through security in the Board's Suite 100 (on the 1st floor, at the top of the ramp to the left of the main lobby) prior to being escorted to the hearing room.

Quiet laptops and tape recorders may be brought into the hearing room, but absolutely no provision will be made for the connection of personal computers to Board telephone lines. Cellular telephone use is not permitted in the hearing room, or in the rear anteroom. Cellular telephones may only be used outside the hearing room.

The Board's hearing room complies with the Americans With Disabilities Act, and persons needing such accommodations should contact Beverly Ledbetter in the Board's Office of Proceedings at (202) 565-1664, by the close of business on May 4, 2005.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. Oral argument in these proceedings will be held on Wednesday, May 11, 2005, beginning at 10:00 a.m, in the Surface Transportation Board Hearing Room (Room 760), at 1925 K Street, N.W., Washington, DC.
2. Each participating party must provide the oral argument information specified above in writing by May 4, 2005.
3. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary